

**MINUTES OF THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

October 21, 1999

DIVISION TWO

B129235 People (Not for Publication)

v.
Varela

The Court:

The judgment is affirmed.

Boren, P.J., Nott, J., Mallano, J. (Assigned)

DIVISION THREE

B133942 Filofeteia T., et al. (Not for Publication)

v.
Superior Court, Los Angeles County
(Ramona M., a minor, et al., r.p.i.)

The Court:

Let a peremptory writ of mandate issue directing the respondent court to vacate the order, entered July 14, 1999, in which order the court granted a rehearing.

No costs are awarded in this proceedings.

Croskey, Acting P.J., Kitching, J., Aldrich, J.

DIVISION THREE (Continued)

B132037 Sergio M. (Not for Publication)

V.

Superior Court, Los Angeles County
(In the matter of Patricia C., minor, r.p.i.)

The alternative writ is discharged. The stay is vacated, and the petition for writ of mandate is denied.

Aldrich, J.

We concur: Klein, P.J.
Croskey, J.

B122078 Vermius White (Not for Publication)

V.

Hawthorne School District et al.

The judgment is affirmed.

Aldrich, J.

We concur: Klein, P.J.
Croskey, J.

B127319 People (Not for Publication)

V.

Tennant

The judgment is affirmed.

Klein, P.J.

We concur: Aldrich, J.
Schneider, J. (Assigned)

DIVISION THREE (Continued)

B122076 People (Not for Publication)
v.
Wilson

The judgment is modified to impose a \$2,000 parole revocation fine, to remain suspended unless and until Wilson violates parole. The judgment is affirmed as modified. The abstract of judgment shall be amended in accordance with this opinion. The clerk of the superior court is ordered to prepare a corrected abstract of judgment that will be forwarded to the Department of Corrections.

Klein, P.J.

We concur: Croskey, J.
 Aldrich, J.

B120853 Hirobumi Komuro (Not for Publication)
v.
Sam Wang

The judgment is affirmed. Defendant will bear his own appellate costs.

Croskey, J.

We concur: Klein, P.J.
Schneider, J. (Assigned)

B119122 Zjamahl Fain & Traci Fain (Certified for Publication)
v.
Highlands Insurance Company and Eleanor Fain
Estate of Theodore Fain, deceased

The judgment is affirmed. Respondents shall recover their costs on appeal.

Croskey, J.

We concur: Klein, P.J.
Aldrich, J.

DIVISION THREE (Continued)

B128619 City Nation Bank (Not for Publication)
v.
Center Equities Group, etc., et al.
Gary H. Packman

The order of dismissal from which appellants have appealed is affirmed in part and reversed in part, and the cause is remanded to the trial court for further proceedings consistent with the views expressed herein. Costs on appeal to appellants.

Croskey, J.

We concur: Klein, P.J.
Schneider, J. (Assigned)

DIVISION FOUR

Court convened at 9:00 A.M.

Present: Vogel (C.S.), P.J., Epstein, J., Hastings, J., Curry, J., and Jim Guzman, Deputy Clerk.

Each of the following:

B131650 Farm v. S.C.L.A. & Shann, r.p.i.
B122763 People v. Parker & Powell
B133812 Lisa M. v. D.C.F.S.
B126545 People v. Palmer
B124925 People v. Campos
B129801 People v. Howard
B130677 D.C.F.S. v. William H.
B130859 D.C.F.S. v. Oscar G.
B127442 D.C.F.S. v. Warren W.

Argument waived, cause submitted.

DIVISION FOUR (Continued)

B126556 People
 v.
 Kentry W.

Merits:
Argued by Saiid Arjomand for appellant and by Stephanie A. Miyoshi,
deputy attorney general, for respondent. Cause submitted.

B115618 Barnes
 v.
 Litton Industries

Merits:
Argued by Thomas J. Barnes for appellant and by Stephen F. McAndrew
for respondent. Cause submitted.

B132758 Mr. Jiffy's Pizza
 v.
 S.C.L.A.
 (Horen, r.p.i.)

Merits:
Argued by Priscilla F. Slocum for petitioner and by James R. Tedford for
real party in interest. Cause submitted.

B126838 Liddell
 v.
 Jefferson Smurfit Corp.

Merits:
Argued by Alicia Olivares Uyeda for appellant and by Steven H. Gardner
for respondent. Cause submitted.

DIVISION FOUR (Continued)

B132357 Apri Insurance Company
 v.
 S.C.L.A.
 Schatteman et al. (RPI)

Merits:

Argued by Andrew R. Hall for petitioner and by Daniel J. Quisenberry for
real party in interest. Cause submitted.

Vogel (C.S.), P.J. leaves bench.

B132607 Simpson
 v.
 S.C.L.A.
 (TIG Insurance Co., r.p.i.)

Merits:

Argued by Robert S. Chapman for petitioner and by John R. Brydon for
real party in interest. Cause submitted.

B121020 Midiman
 v.
 Farmers Insurance Exchange

Merits:

Argued by William H. Ford for appellants and by Robert A. Olson for
respondents. Cause submitted.

Court recessed.

DIVISION FOUR (Continued)

The Court reconvened at 1:30 P.M.

Present: Vogel (C.S.), P.J., Epstein, J., Hastings, J., Curry, J., and Jim Guzman, Deputy Clerk.

B130206 Professional Transcribing Service
 v.
 Washington-Culver Medical Group

Merits:

Argued by Carl Etting for appellant and by Paris Romero for respondents.
Cause submitted.

B125558 Eronini
 v.
 Jonas Enterprises

Merits:

Argued by Daniel S. Alderman for respondent and waiver of oral argument
by appellant. Cause submitted.

B126218 People
 v.
 Devon W.

Merits:

Argued by Jerald W. Newton for appellant and by Michael J. Wise, deputy
attorney general, for respondent. Cause submitted.

B126186 Yaskawa Electric America Inc.
 v.
 Fritz Companies

Merits:

Argued by Stephen L. Bucklin for appellant and by Einar Wm. Johnson for
respondent. Cause submitted.

DIVISION FOUR (Continued)

B127372 Hershman
v.
New Line Cinema Corporation

Merits:
Argued by John A. Lawrence for appellants and by Stephen M. Caine for respondents. Cause submitted.

B106910 Cloud
v.
Western Atlas

Merits:
Argued by Peter R. Dion-Kindem for appellant and by Nancy L. Abell and
by Stephen McAndrew for respondents. Cause submitted.

B128784 Los Angeles County D.C.F.S.
v.
Carolyn H. & Evelyn M.

Merits:
Argued by Carolyn H. and Evelyn M. for appellants and by Arezoo Pichvai, deputy county counsel, for respondent. Cause submitted.

Court adjourned.

B131248 BJG Associates, LLC, et al. (Certified for Publication)
v.
Superior Court, Los Angeles County
(M2B2, LLC, r.p.i.)

The order to show cause, having served its purpose, is discharged. The petition for a writ of mandate is denied. The parties shall bear their own costs.

Vogel (C.S.), P.J.

We concur: Hastings, J.
Curry, J.

DIVISION FIVE

B124488 Beverly Sanchez (Certified for Publication)
v.
PacifiCare Health Systems, Inc.

The order awarding costs is modified by deleting medical expert witness fees in the amount of \$10,875, resulting in a cost award of \$9,553.91. In all other respects, the cost order is affirmed. Appellants are awarded their costs on appeal.

Grignon, J.

We concur: Turner, P.J.
 Armstrong, J.

B133064 Theresa C. (Not for Publication)
v.
Superior Court, Los Angeles County
(D.C.F.S., r.p.i.)

The petition is denied.

Godoy Perez, J.

We concur: Turner, P.J.
 Armstrong, J.

B125813 Joan Macomber (Not for Publication)
v.
American Association of Retired Persons, et al.

The judgment is affirmed. Each side to bear its own costs on appeal.

Godoy Perez, J.

We concur: Turner, P.J.
 Grignon, J.

DIVISION SIX

B129954 People (Not for Publication)
v.
Cosgrove

The judgment is affirmed.

Yegan, J.

We concur: Gilbert, Acting P.J.
 Coffee, J.

B111504 People (Not for Publication)
v.
Cunningham

The judgment is affirmed.

Coffee, J.

We concur: Gilbert, Acting P.J.
 Yegan, J.

B129161 People (Not for Publication)
v.
Charles

The judgment is modified to strike two of the 5-year enhancements imposed pursuant to section 667, subdivision (a), and to impose a parole revocation fine of \$200 pursuant to section 1202.45, to remain suspended unless appellant's parole is revoked. The abstract of judgment should reflect a sentence on count 11 of twenty-five years to life plus one, five-year enhancement under section 667, subdivision (a). The clerk of the superior court is directed to prepare and forward to the Department of Corrections an amended abstract of judgment reflecting these corrections. As modified, the judgment is affirmed.

Yegan, J.

We concur: Gilbert, Acting P.J.
 Coffee, J.

DIVISION SIX (Continued)

B126013 Davatolhagh (Not for Publication)
 v.
 TTI Testron, Inc.

The judgment of nonsuit is reversed and the matter is remanded to the trial court. Costs are awarded to appellant.

Coffee, J.

We concur: Gilbert, Acting P.J.
 Yegan, J.

B127259 Meek (Not for Publication)
 v.
 Graham

We reverse the judgment, except insofar as it denies Graham Realty a commission. The trial court is directed to reconsider who, if anyone, is the prevailing party for purposes of attorney's fees. The parties are to bear their own costs on appeal.

Gilbert, Acting P.J.

We concur: Coffee, J.
 Matz, J. (Assigned)

B128019 People (Not for Publication)
 v.
 Faris

The judgment is reversed.

Matz, J. (Assigned)

I concur: Gilbert, Acting P.J.
I dissent: Yegan, J. (Opinion)

October 21, 1999-Continued

DIVISION SIX (Continued)

B129567 People (Not for Publication)
v.
Palacios

The judgment is affirmed.

Yegan, J.

We concur: Gilbert, Acting P.J.
 Coffee, J.

DIVISION SEVEN

B125875 Los Angeles County, D.C.S.
v.
Daniel R. and Yolanda R.
In re Andrea R., a minor

Filed order certifying opinion for publication.

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